## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:11-CV-350

DEBORRAH CONTEH,	)	
Plaintiff,	)	
vs.	)	ORDER
FAYE GRIGGS, et al.,	) ) )	
Defendants.	)	
	)	

THIS MATTER is before the Court upon its own motion. Plaintiff filed a complaint in the above-captioned matter on July 20, 2011. Because Plaintiff is suing the United States Government, the court advised her in a March 15, 2012 order that she must serve the U.S. Attorney for this district (Doc. No. 6); see Fed. R. Civ. P. 4(i). After receiving a letter from Plaintiff (Doc. No. 7), the Court issued an order further explaining its previous order and provided Plaintiff with the name and address of the U.S. Attorney for the Western District of North Carolina (Doc. No. 8). In both orders, the Court gave Plaintiff until May 15, 2012 to properly serve the United States Government. See Fed. R. Civ. P. 4(i)(4) ("The court must allow a party a reasonable time to cure its failure to . . . serve a person required under Rule 4(i)(2), if the party has served either the United States attorney or the Attorney General of the United States . . . . ").

It is now June 13, 2012 and Plaintiff has been given an extra month's grace period, yet no summons of the U.S. Attorney has been returned executed. Fed. R. Civ. P. 4(m) gives Plaintiff 120 days to serve defendants, and it has been nearly eleven (11) months. Therefore, the Court HEREBY DISMISSES this case without prejudice, though it may be refiled in the future subject to the statute of limitations.

## IT IS SO ORDERED.

Signed: June 14, 2012

Frank D. Whitney
United States District Judge